



{In Archive} Congressional Coordination regarding Pretty Prairie, KS

**Mary Mindrup** to: LaTonya Sanders

05/28/2008 11:34 AM

Cc: Rich Hood

Archive:

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We have a letter responding to the City of Pretty Prairie, Kansas requesting a meeting with EPA. There is history with this small town and we thought we should coordinate with you and perhaps the congressional in the area prior to or as we mail the letter. Your opinion on the timing for mailing the letter would be appreciated. Attached below is the chronology of Pretty Prairie's compliance history with the nitrate drinking water standard and EPA's communication with them.

I'll call you to see what you think.

Mary A. T. Mindrup  
Chief, Drinking Water Management Branch  
(913)551-7431  
Mindrup.Mary@EPA.GOV



Pretty Prairie Chronology 5.21.08.doc



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Pretty Prairie -Req mtg w EPA Ltr 4-16-08.pdf



## **History of Pretty Prairie Public Water Supply** **Pretty Prairie, Kansas**

### **Background Information:**

**Population:** 600

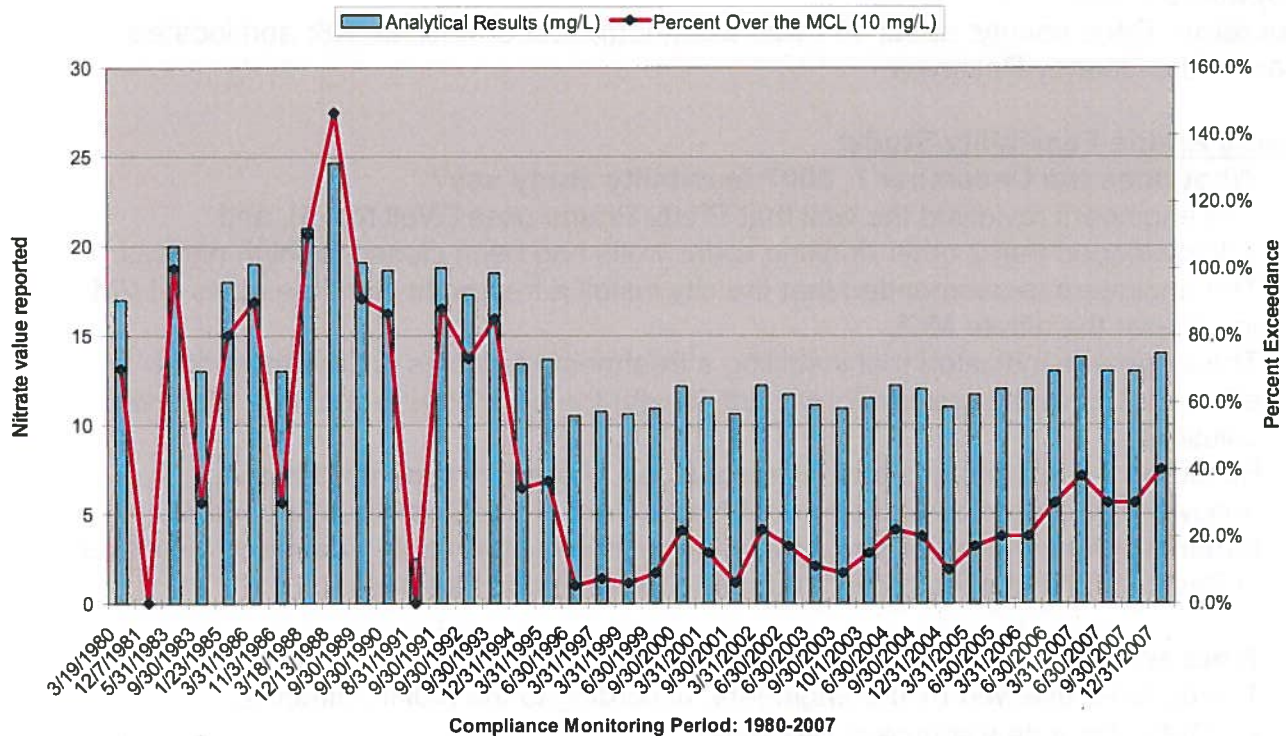
**Location:** Reno county; about 46 miles west-northwest of Wichita, KS; and located west of the Cheney Reservoir.

### **Pretty Prairie Feasibility Study:**

- **What does the December 7, 2007 feasibility study say?**
  - The engineers reviewed the well that Pretty Prairie uses (Well No. 5), and acknowledged that 2 other drinking water wells had been closed for high nitrates.
  - The engineers recommended that the city install a treatment plant the costs \$1.2M to achieve the nitrate MCL
  - The engineers indicated that installing a treatment plant was not the most cost effective, but would provide Pretty Prairie with the best long-term nitrate treatment solutions.
  - Based on the advantages and disadvantages of each treatment alternative reviewed, the engineers recommended that Pretty Prairie construct a central treatment plant and utilize the ion exchange process for nitrate treatment, discussed in Section 4.5 of the feasibility study (also presented in Table 6.1).
- **What are the options?**
  - The options reviewed by the engineers, according to the KDHE Directive:
    - Obtaining a new source of raw water
    - Purchase water of acceptable quality from another PWS
    - Treatment options to reduce nitrate, including the feasibility of blending existing sources of water
- **What does the city need to move forward?**
  - Pretty Prairie needs to coordinate a course of action with KDHE to meet the nitrate MCL.
- **What is KDHE doing?**
  - Monitoring Pretty Prairie violations, and encouraging Pretty Prairie to take action based on the KDHE Directive issued in July 2007
  - As of April 30, 2008, KDHE has not placed Pretty Prairie under any kind of schedule
  - As of April 30, 2008, KDHE did not indicate when it would provide a compliance schedule with milestone date for Pretty Prairie to implement the feasibility study findings, such as bid contracts, award contracts, or commence construction of the recommended treatment system.

## Chronology of Actions and Violations:

### Summary of Nitrate MCL Violations in Pretty Prairie Public Water System Pretty Prairie, KS



- **1979 - 1993** – SDWIS data indicates nitrate levels varying between 13 – 25 mg/L.
- **1994** – Pretty Prairie constructed new well. Brief return to compliance with nitrate MCL.
- **1996 - 2008** – SDWIS data indicates that Pretty Prairie continued to have nitrate MCL exceedances. Levels range from 11 to 14 mg/L.

**February 1989 - KDHE issued Administrative Order 89-E-10** on 2/13/1989 with a compliance schedule including actions to be taken to meet nitrate MCL.

- Pretty Prairie did not appeal this KDHE Order, so the Order became final.

**October 1990 – KDHE issued Administrative Order 90-E-71** on 10/28/1990 for failure to comply with AO 89-E-10 & pay \$12,675 in penalties.

- Pretty Prairie appealed this KDHE Order before it became final.
- KDHE AO 89-E-10 was incorporated by reference.
- This Order did not become effective, so KDHE and Pretty Prairie entered into enforcement negotiations.

**October 1991 – KDHE and Pretty Prairie entered into Consent Order 91-E-71** on 10/24/1991 for violations.

- Pretty Prairie agreed to comply with nitrate MCL by following compliance schedule & paying \$675 in civil penalties.

- KDHE dismissed the remaining penalty on the condition that Pretty Prairie had to comply with a compliance schedule to RTC with the nitrate MCL.

**January 1994 – EPA issued an Administrative Compliance Order to Pretty Prairie** on January 3, 1994 for violations of the nitrate MCL.

- ACO required Pretty Prairie to take certain scheduled steps to bring its PWS into compliance with the nitrate MCL of 10 mg/L.
  - Advertising for construction bids of necessary improvements to the system,
  - Awarding a contract for construction of improvements, and
  - Completing construction for necessary improvements to the PWS.
- Pretty Prairie only completed the requirement to advertise for construction bids.

**February 1994 – Pretty Prairie filed a Petition** for Review by the Court on February 17, 1994, because EPA and KDHE denied Pretty Prairie's request for an exemption from the nitrate MCL.

**February 1994 – Pretty Prairie filed a Petition** for Review by a different Court on February 17, 1994, challenging the issuance of EPA's ACO.

**March 1994 – Pretty Prairie and EPA held conference calls about Pretty Prairie's strategy to RTC with the nitrate MCL.**

- At the end of March 1994, Pretty Prairie provided EPA additional details of its proposal to develop a new source well with concentrations below nitrate MCL. EPA
- EPA agreed to amend the ACO to extend the deadline for awarding the construction contract until April 11, 1994.

**April 1994 – EPA and Pretty Prairie met and agreed to take a number of actions from April to June 1994.**

- EPA agreed to extend the deadline for Pretty Prairie to award the construction contract for PWS improvements until June 10, 1994.
- Pretty Prairie agreed to provide EPA with additional information about the cost of building a new treatment facility for the PWS
- Pretty Prairie stated its intention to drill a new test well
- Pretty Prairie agreed to analyze the quality of the water and report its findings to EPA by May 25, 1994.
- Meeting scheduled for June 1, 1994 to discuss Pretty Prairie's options for complying with the SDWA.
- EPA began to amend the January 1994 ACO, based on these commitments.

**June 1, 1994 – EPA and Pretty Prairie held a conference call.**

- Pretty Prairie submitted information about its plan to drill a new well.
- EPA advised Pretty Prairie that the likelihood of drilling a new water supply well which could produce water under the nitrate MCL for reasonable period of time appeared low.
- Pretty Prairie identified three possible routes for bringing its PWS back into compliance with the nitrate MCL.

- 1. Drill a new water supply well which can produce water with a nitrate level at or below the 10 mg/L MCL.
- 2. Install an ion exchange water treatment system, based on sodium chloride technology. This approach presented a waste disposal problem of the sodium chloride, but Pretty Prairie had identified a disposal well that can accept the wastes in accordance with the SDWA.
- 3. Install an ion exchange water treatment system based on potassium chloride technology. Relatively new treatment technology, the approach had an advantage because the waste solids could be disposed of in the sewers.
- Pretty Prairie preferred to drill a new well, and had concluded a series of activities to enable the city to determine the viability of that approach.
- Pretty Prairie expected to have sufficient data by August 8, 1994 to commit to implementation of 1 of the 3 approaches discussed above.

**June 1994 – EPA issued an Amended Administrative Compliance Order on Consent Docket VII-93-PWS-04** on June 27, 1994 that required Pretty Prairie to achieve compliance with the nitrate MCL.

- Pretty Prairie Mayor had to notify EPA by August 8, 1994 what approach the city would take to RTC with the nitrate MCL.
- Pretty Prairie had to achieve compliance with the nitrate MCL by the following dates using the following treatment technologies:
  - November 1, 1994 – if Pretty Prairie drilled a new city water supply well
  - March 1, 1995 – if Pretty Prairie installed a conventional sodium chloride ion exchange water treatment system
  - March 1, 1995 – if Pretty Prairie installed a continuous ion exchange system (potassium chloride) water treatment system
- Pretty Prairie had to continually implement bottled water and public notification programs UNLESS
  - Certified to EPA that sampling November 1994 – January 1995 showed that the nitrate level was consistently below nitrate MCL, OR
  - Certified to EPA that the selected ion exchange treatment system was in operation, and sampling confirmed that the nitrate level was consistently below nitrate MCL

**November 1994 - June 1995 – Pretty Prairie chose to drill a new well to comply with the nitrate MCL.**

- Well No. 5 was constructed and placed into operation for the Pretty Prairie system.
- Pretty Prairie removed Wells No. 3 and 4 from service, and relied entirely on Well No. 5.

**June 1995 – Pretty Prairie's new well** achieved compliance with the terms of the EPA Amended ACO.

- Pretty Prairie achieved compliance with the nitrate MCL for a short time.

**Early to mid-1996 – EPA closed the Consent Order**, once Pretty Prairie demonstrated compliance with the nitrate MCL for a three month period.

- After the Consent Order was closed, Pretty Prairie's new well (Well No. 5) did not maintain compliance with the nitrate MCL, as EPA had suspected and advised in June 1994.

**August 1996 – KDHE issued Consent Order 96-E-0263 to Pretty Prairie.**

- Pretty Prairie expressed interest in proceeding with a wellhead protection plan
- Pretty Prairie did not appeal this KDHE Order, so the Order became final.

**August 1996 –** A KDHE letter to Pretty Prairie indicated that EPA agreed to close its ACO with Pretty Prairie after the KDHE Consent Order is executed.

**October 15, 1996 - KDHE Consent Order 96-E-0263 for Pretty Prairie** became effective and required the following steps towards compliance:

- The Consent Order commits the city to participate in the Kansas Wellhead Protection Program, and
- The Consent Order contains elements of the Kansas Nitrate Compliance Strategy.
- The Order was designed to expire in 7 years, per the then-draft Kansas Nitrate Strategy

**March 1997- KDHE/EPA execute the Kansas Nitrate Strategy**

- Intent was to establish a response procedure to address PWSs with recurring nitrate MCL violations in Kansas.
- Implemented through Admin. Orders to expire 7 years from issuance.
- Options to achieve compliance with the nitrate MCL of 10 mg/L included:
  - Blending
  - New Source
  - Purchase from another PWS
  - Ion exchange
  - Reverse osmosis

**April 2005 – EPA R7 reviewed PWS files at KDHE for FY03 Annual Program Evaluation (APE) during April 20-21, 2005.**

- Pretty Prairie files indicated that the PWS was out of compliance with the 24 hour public notification requirement in 40 CFR 141.202

**February 2007 – KDHE issued a letter to EPA about Nitrate Strategy.**

- KDHE still had Orders in place, and will honor Orders until they expire.
- KDHE identified strategy to resolved systems out of compliance with nitrate MCL
- KDHE agreed to commit to review 2005 and 2006 nitrate results from 6 systems (including Pretty Prairie) for nitrate violations occurring in 2 out of any 3 consecutive quarters.
- KDHE agreed to issue a directive to require systems in violation with nitrate MCL to hire a consulting engineer to prepare an engineering report and cost estimates to RTC with nitrate MCL.
- KDHE agreed to review the engineers' cost estimates with each water system and negotiate a schedule to complete the best option.

**July 20, 2007 – KDHE issued a Directive to Pretty Prairie.** The Directive outlined the following requirements:

- Sample water for nitrate once every 3 months (quarterly)
- If the test results indicate nitrate MCL exceedance at the point of entry, then Pretty Prairie had to do the following:
  - Issue public notice to all customers within 24 hours
  - Provide an alternate source of drinking water free of charge to infants, nursing mothers, and pregnant women
  - If Pretty Prairie chose to use bottled water to meet this requirement, then Pretty Prairie had to obtain certification from the bottled water supplier that the bottled water meets the appropriate US FDA requirements [there are no time restrictions for this choice, contradicting the SDWA]
- Pretty Prairie had to obtain the services of an engineer to prepare a formal feasibility study, including cost estimates to comply with the nitrate MCL
- Pretty Prairie had to submit the Feasibility Study to KDHE by December 20, 2007
- Pretty Prairie and KDHE were to jointly review the results of the study and determine a course of action.
- At a minimum, the feasibility study had to address the following options:
  - Obtaining a new source of raw water
  - Purchase water of acceptable quality from another PWS
  - Treatment options to reduce nitrate, including the feasibility of blending existing sources of water
  - If new source water can be obtained, minimizing the use of, or removing from service, the individual water well causing the violations

**December 7, 2007 – KDHE received the feasibility study results from Pretty Prairie**

**December 2007 – Pretty Prairie met with KDHE to discuss the feasibility study findings and recommendations.**

- KDHE and Pretty Prairie discussed that feasibility study identified treatment options to comply with the nitrate MCL.
- The feasibility study indicated that a \$1.2M treatment plant was the least expensive and most feasible option for compliance with the nitrate MCL.

**January - February 2008 – Pretty Prairie was in the Unaddressed SNC List for 1QtrFY08 (Oct.-Dec. 2007), which is generated from SDWIS.**

- KDHE indicated in its response to EPA that Pretty Prairie's feasibility study identified the \$1.2M treatment plant as the most feasible option for compliance with the nitrate MCL.

**January 11, 2008 – Pretty Prairie article in local newspaper**

- Pretty Prairie spent \$7,500 for a nitrate feasibility study



- 2007 feasibility study provided options starting at \$1.2M
- Pretty Prairie Council discussed the nitrate issue and the feasibility study findings at their regular council meeting on Monday, January 7<sup>th</sup>.
- Pretty Prairie requested justification from KDHE and EPA for the change in the nitrate policy of allowing bottled water after the feasibility study confirmed that a study completed in the mid-1990s indicated that solving the problem with a convention approach would cost the city
- The recommended solution for the study conducted in the mid-1990s was for the city to install a costly ion exchange treatment system. The city would have needed to containerize, and to obtain a solid waste permit from KDHE to get rid of the sodium chloride generated by the ion exchange treatment.
- The city chose not to follow this option in the mid-1990s, partly because KDHE couldn't write a solid waste permit for this situation in advance.

**February 4, 2008 – EPA sent a letter to Pretty Prairie** clarifying that Pretty Prairie could not use bottled water indefinitely.

- EPA's letter clearly stated that according to the SDWA, bottled water was only for use on a temporary basis, and not as a means of treatment to comply with the nitrate MCL.

**February 22, 2008 – Pretty Prairie article in local newspaper**

- Mayor was concerned that EPA's February 2008 letter didn't provide a clear explanation of steps to take, since Pretty Prairie could no longer use bottled water as a substitution for treatment.
- Estimated cost of installing a water treatment system will be \$1.2M.
- Pretty Prairie town residents may have their water rates boosted by at \$16 per month to afford treatment.

**April 16, 2008 – Pretty Prairie sent EPA a letter** inviting the Agency to meet and discuss nitrate issues.

- It appears that Pretty Prairie wants to discuss its practice of using bottled water, and why the Kansas Nitrate Strategy is no longer in effect.
- Pretty Prairie has met with EPA in the past to discuss nitrate MCL violations, and was able to discuss extensions for compliance schedules

**May 16, 2008 – EPA drafted a letter to send to Pretty Prairie**, encouraging Pretty Prairie to cooperate with KDHE and to implement the findings of the feasibility study as the means to achieve compliance with the nitrate MCL.

**May 19, 2008 – Pretty Prairie's current status with KDHE:**

- Pretty Prairie is not currently in the 2QtrFY08 (Jan.-March 2008) Unaddressed SNC List

**FYI:**

**March 3, 2008 – USGS report for *Vulnerability of Recently Recharged Ground Water in the High Plains Aquifer to Nitrate Contamination*:**

- Relative background concentration discussed, starting on page 22
- Parts of Reno County, including Pretty Prairie and the Cheney Reservoir, are identified in several maps indicating contamination occurring in non-irrigated agricultural land originating from non-point sources
- Hydrologists' model maps indicate that Pretty Prairie has a 41-80% probability of background nitrate concentrations greater than 4 mg/L for a regional water table depth of 0-30.5 meters

**Physical / geological:** Reno County has the following characteristics, which surrounds Pretty Prairie, and may influence some of PWS wells:

- Arkansas River Lowlands to the north and west – sand and gravel deposits, irregular hills, and sand dunes
- Wellington and McPherson Lowlands to the southwest and northeast – permeable sand and gravel, and a large quantity of high-quality water in the Equus beds nearby
- Osage Questas underlying Pretty Prairie – hill-plain or broad-terraces, steep eastern slopes, with plentiful limestone supply



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Article No.: 7004 2510 0006 9721 8390

The Honorable Curt Miller  
Mayor of Pretty Prairie  
119 West Main Street  
Pretty Prairie, KS 67570

Dear Mayor Miller:

Re: Pretty Prairie Public Water System  
PWS ID: KS2015501

This letter is a response to correspondence dated April 16, 2008, sent to the United States Environmental Protection Agency, Region 7 (EPA) by the city of Pretty Prairie, Kansas, regarding your request for a meeting related to ongoing nitrates violations at the Pretty Prairie Public Water System (PWS or system) and the actions taken by the Kansas Department of Health and Environment (KDHE) on this matter.

The state of Kansas has enacted regulations which are at least as stringent as the federal National Primary Drinking Water Regulations (NPDWR), and through KDHE has primary enforcement authority for the federal drinking water requirements in Kansas. EPA encourages the city of Pretty Prairie to work with KDHE to take decisive action to come into compliance with the nitrate MCL.


A Public Water System is required by the federal Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f et seq., to comply with the NPDWR. The NPDWR sets out Maximum Contaminant Levels (MCLs) for various contaminants, which are the highest levels at which a contaminant may be legally allowed in water provided to the public. The MCL for nitrate is 10 parts per million (ppm or mg/L).

The Pretty Prairie PWS has a documented history of exceeding the 10 ppm nitrate MCL. Ongoing violations of the nitrate MCL increases consumer exposure to the public health risks associated with nitrate, and consequently must be addressed by reducing the level of nitrates in the water supplied by the system. As EPA described in our correspondence dated February 4, 2008, to Pretty Prairie, provision of bottled water to the public by a PWS, while it may be an acceptable temporary measure to avoid unreasonable risk to health, does not exempt a PWS from its legal requirement to comply with the nitrate MCL.

EPA expects that any compliance agreement between Pretty Prairie and KDHE will promote measurable progress towards compliance, by the inclusion of clear milestones, an expected compliance date, and enforceable consequences for failure to adhere to the schedule. The Pretty Prairie PWS should achieve compliance with the nitrate MCL as soon as reasonably practicable. Failure to comply with the nitrate MCL, including failure to take required steps towards compliance, may subject the system to legal action by KDHE and/or EPA seeking civil penalties and/or injunctive relief requiring compliance.

EPA thanks Pretty Prairie for its invitation to meet. If you have any questions regarding these issues, please contact Stacie Tucker, of my staff, at (913) 551-7715.

Sincerely,



Diane Huffman  
Chief, Water Enforcement Branch  
Water, Wetlands and Pesticides Division

cc: Dave Waldo, Kansas Department of Health and Environment



## CITY OF PRETTY PRAIRIE

P.O. Box 68 • 119 West Main • Pretty Prairie, Kansas 67570-0068

620-459-6392 • FAX 620-459-7354

E-Mail: pprairie@btsskynet.net • [www.skyways.org/towns/PrettyPrairie](http://www.skyways.org/towns/PrettyPrairie)

"HOME OF KANSAS' LARGEST NIGHT RODEO"

April 16, 2008

Ms. Monica Wurtz and Mary Tietjen-Mindrup  
Drinking Water Management Branch  
Environmental Protection Agency  
901 N. 5<sup>th</sup>  
Kansas City, Kansas 66101

Dear Monica and Mary:

The City of Pretty Prairie and our City Council members would like to meet with you to visit about our City's nitrate situation and achieving compliance with the Safe Drinking Water Act in this regard. We would like to have you visit our City, if possible, to discuss this matter. Our City has used the bottled water program in the past under a Consent Order, which has been a successful and economic remedy for our community.

Please let us know when one of you or both, might be able to arrange a meeting time with us here in Pretty Prairie to further discuss this situation. You may call our City Clerk, Patti Brace, and let her know if this might be possible to do.

The City appreciates your consideration in this matter and we do look forward to visiting with you.

Sincerely,

A handwritten signature in cursive script that reads "Curt Miller".

Curt Miller  
Mayor  
City of Pretty Prairie





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

FEB 04 2008

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Mayor of City of Pretty Prairie  
119 West Main Street  
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Dear Mayor Miller:

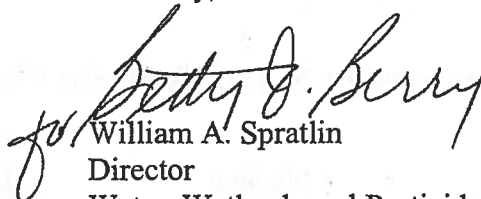
Re: Use of Bottled Water Under the Safe Drinking Water Act (SDWA)

It has been brought to the attention of the U.S. Environmental Protection Agency (EPA), Region VII, through the Kansas Department of Health and the Environment (KDHE) that Pretty Prairie is seeking clarification of the use of bottled water to achieve compliance with provisions of the SDWA. Under the SDWA, bottled water is allowed for use in very limited situations, such as in emergency situations or as a temporary measure under variances and exemptions. However, bottled water is prohibited for use by a public water system to achieve compliance with the Maximum Contaminant Level (MCL); 40 CFR § 141.101 reads "Public water systems shall not use bottled water to achieve compliance with an MCL. Bottled water may be used on a temporary basis to avoid unreasonable risk to health."

The city's of Pretty Prairie drinking water system has a long history of exceeding the MCL for nitrates under the SDWA and must come into compliance with the MCL as soon as possible. Because bottled water cannot be used to achieve compliance with MCL, EPA strongly encourages the city of Pretty Prairie to work with KDHE and take additional measures to come into compliance.

If you have any questions, please contact Mary Tietjen-Mindrup, Chief, Drinking Water Management Branch, at (913) 551-7431.

Sincerely,

  
William A. Spratlin  
Director

Water, Wetlands and Pesticides Division

cc: Dave Waldo  
KDHE

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Mayor of City of Pretty Prairie  
119 West Main Street  
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cc: Dave Waldo  
KDHE

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Wurtz

*Monica Wurtz*

01/30/08

Mindrup

*MJ Mindrup*

01/29/08

*WAS* Spratlin

02/04/08





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Please let us know when one of you or both, might be able to arrange a meeting time with us here in Pretty Prairie to further discuss this situation. You may call our City Clerk, Patti Brace, and let her know if this might be possible to do.

The City appreciates your consideration in this matter and we do look forward to visiting with you.

Sincerely,

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Curt Miller  
Mayor  
City of Pretty Prairie



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Curt Miller  
Mayor  
City of Pretty Prairie

## **KDHE/EPA PWSS Quarterly Meeting April 1, 2008**

### **Meeting Notes**

**Attendees:** David Waldo, Darrel Plummer, Dan Clair from KDHE, and Monica Wurtz, Carolyn Mitchell, Stacie Tucker from EPA.

### **Workplan Accomplishments for 2008**

An updated report on the status of activities was provided and any necessary corrections should be provided to Monica Wurtz. As of December 31, 2007, KDHE is very close to meeting all performance measures. Two measures were within 1% of the target numbers and the other two measures were well above the target numbers. KDHE is up to date with all required reports and on track to meet the deadline for the Annual Compliance Report (July 1, 2008).

### **Stage 2 DBP and LT2 rule update**

The primacy extension approval letter was mailed on March 11, 2008 to Dave Waldo, KDHE. Monica provided the status of compliance for Schedule 4 systems under the Stage 2 rule. As of 3/31/08, 146 systems did not have an Initial Distribution System Evaluation (IDSE) submission in the Data Collection and Tracking System (DCTS) database. Monica emailed the list of systems to Dave on 4/2/08 to distribute to the district offices.

### **Data Management**

Carolyn provided a list of health-based violations in 4Q 2007. University of Kansas is the largest system on the list.

Carolyn provided a list of systems without sanitary surveys since 1/1/2004. The 13 systems are all purchasing systems. Darrel provided a list of delinquent sanitary surveys for our comparison. There could *possibly* be an extension for sanitary survey data entry to September 30, 2008 for a big data pull in October 2008. Update- new information: the Subpart H CWS sanitary survey data entry deadline and the PB90 lead results deadline is June 30, 2008. KDHE provides their district offices the list of required sanitary surveys a year in advance. Priority is given to the systems that treat water. Carolyn provided a list for LCR completeness in 2005-2007. Only 2 systems do not have L & C results – Shawnee RWD #4C and Wamego. Shawnee #4C could possibly be a new system. *Darrel will check to see when they are scheduled with the lab.* Wamego has had corrosion control issues and have been in and out of compliance since 1992. Darrel provided a data management update for KDHE. The SWRL2 implementation has been put off until October 1, 2008. There were some hidden changes they were not aware of. These changes are causing havoc with the companion applications that have been developed – applications such as letter writing, migration to state, etc. GEC has developed specialized views for labs which must be re-written. KDHE has moved to Oracle 10G client and it is up and running. Web 2 is up and running as a test site. Web 1 had issues with stalls and slowdowns during the last 3 weeks. It seems to be a memory hog. It caused Tomcat to start and stop at least twice every day. Darrel and Jonathan are

planning on attending the ASDWA/EPA data management conference in Nashville, TN in May, 2008.

#### **Arsenic compliance status**

By December 31, 2007, all ground water systems must have completed initial monitoring. KDHE stated that all systems (unless new systems) have completed the initial monitoring.

#### **Radionuclide compliance status**

By December 31, 2007, all systems must have completed initial monitoring. Darrel provided a list of 17 systems that had not completed the initial monitoring. *Monica emailed Dave and Darrel on 4/8/08 with a question regarding this list of systems. Are these systems scheduled to monitor in the 2<sup>nd</sup> quarter 2008?*

#### **Nitrate directives**

KDHE provided examples of nitrate directives. Darrel mentioned that there might be a new code in SDWIS for directives, which may give more weight to enforcement action on SNC systems. Monica asked if KDHE had heard of any outcome from an alleged meeting between communities with high nitrates. Dave had not heard anything from the meeting. Dave offered to send copies of newspaper articles covering the City of Pretty Prairie nitrate issue. *Monica received clippings from the Ninnescah Valley News on April 4, 2008.*

Congressman, Jerry Moran requested a list of nitrate violators from KDHE, but KDHE has not heard from him since.

#### **Program Review**

EPA conducted a full program review in 2007. *Monica needs to determine what will be focused on in this year's review and schedule a date (in May) with KDHE.*

#### **Pharmaceuticals in drinking water**

Monica provided EPA's desk statement on pharmaceuticals in drinking water to KDHE. Monica also asked if KDHE had heard any details on a study being conducted by the City of Wichita – KDHE has not.

#### **Region 7 Four State PWSS Meeting – April 16-17, 2008**

KDHE confirmed that Dave Waldo, Darrel Plummer and Dan Clair will plan to be in attendance at this meeting.

#### **Others**

Monica provided a brief description of the Satellite Environmental Finance Center (EFC) at the Region 7 office. Cathy Tucker-Vogel will most likely be the contact for coordination between KDHE and the EFC.

Ron Cramer, KDHE has retired and his tasks (Lead & Copper Rule, Disinfection By-Products) are currently being handled by Diane Sands and Kelly Kelsey. Darrel provided the 4<sup>th</sup> quarter Stage 1 DBP violation spreadsheet.

Dave stated that funds are low and the carry-over money is falling short. Dave has contacted Judy Novak, EPA about utilizing set-aside dollars.

Dave asked if Monica knew how the other states in Region 7 (Iowa, Nebraska, Missouri) handled Arsenic exemptions. *Monica will check with the other EPA state coordinators on this question. Could be a possible topic to bring up at 4-State meeting.*


Monica asked about Ground Water Rule 4-log removal and/or inactivation of virus determination. KDHE plans to utilize the CT tables from the SWTR.

**Action Items:**

- EPA – Schedule program review and determine what will be covered in review.  
(Monica)  
Check with other EPA state coordinators on their use of Arsenic exemptions. (Monica)
- KDHE – Check on LCR monitoring for Shawnee #4C and Wamego. (Darrel)  
Check on Radionuclides monitoring for delinquent systems. (Dave or Darrel)





{In Archive} Re: Fw: water supply rumblings   
**Monica Wurtz** to: Mary Mindrup  
Cc: Ken Deason

03/06/2008 04:47 PM

History: This message has been replied to and forwarded.  
Archive: This message is being viewed in an archive.

Mary,

This afternoon I called Jim Jackson, Kansas RWA, to ask for KRWA's position on the use of bottled water to achieve compliance. Jim called Elmer Ronnebaum (KRWA's general manager) and Jim returned my call with the message that KRWA believes it is not feasible to provide bottled water as a permanent source of drinking water. Basically, KRWA agrees that bottled water should only be provided as a temporary solution.

Elmer also told Jim that when Pretty Prairie was installing their new well, they did not consult with any specialists to find a location for the best source of water possible. They chose an area (in a wheat field) just because it was an easy option (someone had a connection).

Monica Wurtz, Environmental Scientist  
US Environmental Protection Agency  
Water, Wetlands & Pesticide Division  
Drinking Water Management Branch  
901 N. 5th Street  
Kansas City, KS 66101  
(913) 551-7868  
Mary Mindrup/R7/USEPA/US



Mary Mindrup/R7/USEPA/US  
03/06/2008 08:40 AM

To Ken Deason/R7/USEPA/US@EPA, Monica  
Wurtz/R7/USEPA/US@EPA  
cc Diane Huffman/R7/USEPA/US@EPA  
Subject Fw: water supply rumblings

Here is the other e-mail. Art also mentioned finding out what KS-RWA is thinking about bottle water for compliance and to confirm we have support from HQ (both OECA and OW).

Thanks,

Mary A. T. Mindrup  
Chief, Drinking Water Management Branch  
(913)551-7431  
Mindrup.Mary@EPA.GOV

----- Forwarded by Mary Mindrup/R7/USEPA/US on 03/06/2008 08:38 AM -----



William  
Spratlin/R7/USEPA/US  
03/06/2008 07:14 AM

To Huffman.diane@epa.gov, mindrup.mary@epa.gov  
cc  
Subject Fw: water supply rumblings

Lets discuss when both of you have a chance.

William A. Spratlin, Director  
Water, Wetlands and Pesticides Division  
EPA Region 7  
913-551-7401  
spratlin.william@epa.gov

----- Forwarded by William Spratlin/R7/USEPA/US on 03/06/2008 07:14 AM -----



KMuelden@kdhe.state.ks.us

03/05/2008 05:01 PM

To William Spratlin/R7/USEPA/US@EPA

cc dwaldo@kdhe.state.ks.us, Mary  
Mindrup/R7/USEPA/US@EPA

Subject water supply rumblings

Art:

Below is an excerpt from an internal KDHE e-mail with our staff passing along a "heads up". FYI  
Karl

*I was visiting with a consultant on the telephone this morning regarding our Directive issued to Kirwin for nitrate MCL violations and the requirement of a feasibility study. He informed me that the city of Pretty Prairie had sent letters to Kirwin, Green, Haviland, Everest, Norwich, Argonia (small community nitrate MCL violators) trying to arrange a meeting. Supposedly this meeting is being held Monday, March 10, 2008 in Salina. As I understand, these small communities are holding a meeting as a first action to begin fighting KDHE and EPA on the nitrate MCL of 10 ppm and more specifically the ability to use bottled water. You may have already heard this, but if not .... thought you should know.*





{In Archive} Fw: PP Report

Monica Wurtz to: Mary Mindrup

Cc: Ken Deason, Diane Huffman, Chris Dudding, Stacie Tucker

04/30/2008 01:02 PM

Archive:

This message is being viewed in an archive.

I received the following response from Dave Waldo (KDHE) regarding Pretty Prairie. These were the questions that I sent:

1. The directive requires a feasibility study to be prepared and submitted to KDHE by December 20, 2007. Was this task completed by the deadline?
2. If the feasibility study was submitted by the required date, what is the next step? Is there a required timeline for implementing the study?
3. What is the status of the other systems that were sent (nitrate) directives?

Monica

x7868

----- Forwarded by Monica Wurtz/R7/USEPA/US on 04/30/2008 12:51 PM -----



DWaldo@kdhe.state.ks.us

04/30/2008 11:44 AM

To Monica Wurtz/R7/USEPA/US@EPA

cc KKelsey@kdhe.state.ks.us, DClair@kdhe.state.ks.us,  
DPlummer@kdhe.state.ks.us

Subject PP Report

A copy of the Pretty Prairie report is attached. It was received December 7, 2007. We have not placed Pretty Prairie under any schedule.

The other systems that received nitrate directives during 2007 and their status is as follows:

WATER SYSTEM NAME	FEDERAL ID No.	STATE ID No.	KDHE DISTRICT	VIOLATIONS	CASE No.	ISSUED DATE	RESPONSE DUE DATE
Woodston, City of	KS2016307	Y7000	NWD	Nitrate	Directive	05/14/07	10/1/2007
Pretty Prairie, City of	KS2015501	T4000	SCD	Nitrate	Directive	07/20/07	12/20/2007
Green, City of	KS2002703	J6500	NCD	Nitrate	Directive	09/14/07	3/1/2008
Kirwin, City of	KS2014702	M7000	NWD	Nitrate	Directive	09/28/07	5/1/2008
Everest, City of	KS2001308	I1000	NED	Nitrate	Directive	11/09/07	5/1/2008
Haviland, City of	KS2009703	K5000	SWD	Nitrate	Directive	11/30/07	5/1/2008

David F. Waldo, PE  
Bureau of Water-Public Water Supply  
Kansas Department of Health & Environment  
1000 SW Jackson, Suite 420  
Topeka KS 66612-1367  
Phone 785 296 5503



Fax 785 296 5509 Pretty Prairie Nitrate Feasibility Study 2007.pdf